

Docket No. 827B

Paper No. _____

DECLARATION FOR PATENT APPLICATION

Applicant: Francis W. Sullivan

Serial No.: Unknown

Filing Date: Herewith

For: COMPOSITIONS FOR PRODUCING ARCHITECTURAL CEMENTITIOUS STRUCTURES HAVING
DECORATIVE AGGREGATE-CONTAINING CEMENTITIOUS SURFACES AND PROCESSES THEREFOR

As a below named inventor, I hereby declare that: My residence, post office box address and citizenship are stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled COMPOSITIONS FOR PRODUCING ARCHITECTURAL CEMENTITIOUS STRUCTURES HAVING DECORATIVE AGGREGATE-CONTAINING CEMENTITIOUS SURFACES AND PROCESSES THEREFOR, the specification of which is attached hereto unless the following box is checked:

was filed on _____ as United States Application Number or PCT International Application Number _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(d) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed

Prior Foreign Application(s)

(Number)	(Country)	(Day/Month/Year Filed)
_____	_____	_____
_____	_____	_____

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

(Application Number)	(Filing Date)
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(Application Number)	(Filing Date)
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I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)
10/058,932	01/28/2002	Pending

(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)
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CROSS-REFERENCE TO RELATED APPLICATIONS

This application is a Continuation-in-Part of Serial No. 10/058,932, filed January 28, 2002, which claims the benefit of the priority of U.S. Provisional Application Serial No. 60/270,732, filed February 22, 2001.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

F. EUGENE LOGAN, Reg. No. 27,352

Address all telephone calls to F. EUGENE LOGAN, Attorney-At-Law, telephone no. 714-732-5533

Address all correspondence to F. EUGENE LOGAN, Attorney-At-Law, 275 Centennial Way, Suite 205, Tustin, CA 92707

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole Inventor: Francis W. Sullivan

Citizenship: U.S.A.

Residence Address: 333 Morning Star Lane, Newport Beach, CA 92660

Post Office Address: 333 Morning Star Lane, Newport Beach, CA 92660

Signature: Francis W. Sullivan Date: August 19, 2003
Francis W. Sullivan

Docket No. 827B

Paper No. _____

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS - INDEPENDENT INVENTOR

Applicant: Francis W. Sullivan

Serial No.: Unknown

Filing Date: Herewith

For: COMPOSITIONS FOR PRODUCING ARCHITECTURAL CEMENTITIOUS STRUCTURES HAVING
DECORATIVE AGGREGATE-CONTAINING CEMENTITIOUS SURFACES AND PROCESSES THEREFOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in:

the specification filed herewith with title as listed above.
 the application identified above.
 the patent identified above.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Signature of Applicant: Francis W. Sullivan Date: August 19, 2003
Francis W. Sullivan

CERTIFICATE OF "EXPRESS MAILING" LABEL NO. EM173671968US

Docket No. 827B

Paper No. _____

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS - SMALL BUSINESS CONCERN

Applicant: Francis W. Sullivan

Serial No.: Unknown

Filing Date: Herewith

For: COMPOSITIONS FOR PRODUCING ARCHITECTURAL CEMENTITIOUS STRUCTURES HAVING
DECORATIVE AGGREGATE-CONTAINING CEMENTITIOUS SURFACES AND PROCESSES THEREFOR

I hereby declare that I am

[] the owner of the small business concern identified below:

[X] an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: Sullivan Concrete Textures, a California corporation,

ADDRESS OF SMALL BUSINESS CONCERN: Having a principal place of business at 1111 Baker Street, Costa Mesa, CA 92626

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 1.21.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that the rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention with title as listed above by applicant listed above and described in the specification filed herewith.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(e) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____

ADDRESS _____

 INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

 INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 101 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of person signing:

Francis W. Sullivan

Title of person if other than owner:

President, Sullivan Concrete Textures

Address of person signing:

333 Morning Star Lane, Newport Beach, CA 92660

Signature: Francis W. Sullivan Date: August 19, 2003